IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

THURSDAY, THE 29TH MARCH 2007 / 8TH CHAITHRA 1929

WP(C).No. 24414 of 2006(F)

PETITIONER:
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1. ABIN GEORGE, S/O. GEORGE P.V.,
AGED 20 YEARS, 2ND YEAR B.SC. NURSING STUDENT,
COLLEGE OF NURSING, ACADEMY OF MEDICAL EDUCATION,
PARIYARAM, KANNUR DISTRICT.

2. BINULAL P.B., S/O.P.K.BALAKRISHNAN,
AGED 21 YEARS, 2ND YEAR B.SC. NURSING STUDENT,
COLLEGE OF NURSING, ACADEMY OF MEDICAL EDUCATION,
PARIYARAM, KANNUR DISTRICT.

3. KIRAN SEBAN, D/O. DEVASIA,
AGED 19 YEARS, 2ND YAR B.SC. NURSING STUDENT,
COLLEGE OF NURSING, ACADEMY OF MEDICAL EDUCATION,
PARIYARAM, KANNUR DISTRICT.

4. SREEVIDYA T.P., D/O.BALAKRISHNAN T.,
AGED 20 YEARS, 2ND YEAR B.SC. NURSING STUDENT,
COLLEGE OF NURSING, ACADEMY OF MEDICAL EDUCATION,
PARIYARAM, KANNUR DISTRICT.

5. DIVYA P., D/O. GOPALAKRISHNAN NAIR,
AGED 22 YEARS, 3RD YEAR B.SC. NURSING STUDENT,
COLLEGE OF NURSING, ACADEMY OF MEDICAL EDUCATION,
PARIYARAM, KANNUR DISTRICT.

BY ADV. SRI.V.SATHEESH
SRI.V.T.MADHAVANUNNI
SRI.V.JOHN SEBASTIAN RALPH

RESPONDENTS:
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1. THE CONTROLLER OF EXAMINATIONS,
KANNUR UNIVERSITY, KANNUR UNIVERSITY CAMPUS P.O.,
KANNUR DISTRICT.

2. THE REGISTRAR,
KANNUR UNIVERSITY, KANNUR UNIVERSITY CAMPUS P.O.,
KANNUR DISTRICT.

3. THE PRINCIPAL,
COLLEGE OF NURSING, ACADEMY OF MEDICAL EDUCATION,
PARIYARAM, KANNUR DISTRICT.

4. THE SECRETARY,
EDUCATION DEPARTMENT, THIRUVANANTHAPURAM.

BY ADV. SRI.M.SASEENDRAN,SC,KANNUR UNIVERSITY

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 29/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1	**TRUE COPY OF THE MARK LIST OF THE FIRST PETITIONER DTD.25-3-06**
EXT.P2	**TRUE COPY OF THE MARK LIST OF THE IIND PETITIONER DTD.23-8-06**
EXT.P3	**TRUE COPY OF THE MARK LIST OF THE IIIRD PETITIONER DTD.25-3-06**
EXT.P4	**TRUE COPY OF THE MARK LIST OF THE IVTH PETITIONER DTD.23-8-06**
EXT.P5	**TRUE COPY OF THE MARK LIST OF THE VTH PETITIONER DTD. 23-8-06**
EXT.P6	**TRUE COPY OF THE REVALUATION APPLICATION SUBMITTED BY PETITIONERS 1 TO 4 DTD. 1-9-06**
EXT.P7	**TRUE COPY OF THE REVALUATION APPLICATION SUBMITTED BY PETITIONER NO.5 DTD. 1-9-06**
EXT.P8	**TRUE COPY OF THE MARK LIST OF PETITIONER NO.1 DTD. 20-11-06**
EXT.P9	**TRUE COPY OF THE MARK LIST OF PETITIONER NO.3 DTD. 19-10-06**
EXT.P10	**TRUE COPY OF THE MARK LIST OF PETITIONER NO.4 DTD. 9-3-07**

/True Copy/

PA to Judge.

K.M.JOSEPH, J.

W.P.(C).No.24414 OF 2006

Dated this the 29th day of March, 2007

JUDGMENT

The prayers in the writ petition are as follows:

> This court be pleased to issue a writ of mandamus or a writ in the nature of Mandamus or any other appropriate writ order or direction under Article 226 of the Constitution of India against the respondents 1 and 2 ordering and directing them to publish the 1st year revaluation results of the petitioners well in advance so as to enable the petitioners to take part in the 2nd year examination.
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> This court be pleased to issue a writ of mandamus or a writ in the nature of mandamus or any other appropriate writ order or direction under Article 226 of the Constitution of India against the respondents directing them to receive

examination fee from the petitioners and permitting the petitioners to write 2nd year examination beginning on 22-09-2006 and announce the results.

2. I heard learned counsel for the petitioners and the learned standing counsel for the University.

3. Learned counsel for the petitioner submits that, even after revaluation petitioners 2 and 5 have failed. According to him. however, petitioners 1, 3 and 4 have passed and he prays that their results in the second year examination may be directed to be declared.

4. Learned standing counsel for the University submits that as far as petitioners 1 and 3 are concerned, they had passed in the first year and they were eligible to sit in the second year examination and their results can be declared by the University. As far as 4th petitioner is concerned, the 4th petitioner had not passed the first year examination before the second year examination and therefore his results in the second year cannot be declared, it is submitted.

5. In such circumstances, the writ petition is disposed of as follows:

There will be a direction to the first respondent to declare the result of petitioners 1 and 3 in the second year examination within a period of three weeks from the date of receipt of a copy of this judgment. As far as the 4th petitioner is concerned, it is open to the 4th respondent to approach the Vice-Chancellor seeking orders in the matter.

K.M.JOSEPH
JUDGE

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